

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JOHN DOE

v.

CHARLES F. YACKULIC, MD, ET AL.

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Civil Action No. 4:18-CV-84
(Judge Mazzant/Judge Nowak)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On February 19, 2019, the report of the Magistrate Judge (Dkt. #43) was entered containing proposed findings of fact and recommendations that Defendant Health Care Service Corporation, a Mutual Legal Reserve Company, operating in Texas through its division Blue Cross and Blue Shield of Texas's Motion to Dismiss (Dkt. #35) and Motion to Strike (Dkt. #39) each be granted, and the entirety of Plaintiff's claims against each of Defendants be dismissed with prejudice.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's reports as the findings and conclusions of the Court.

It is therefore **ORDERED** that Defendant Health Care Service Corporation, a Mutual Legal Reserve Company, operating in Texas through its division Blue Cross and Blue Shield of Texas's Motion to Dismiss (Dkt. #35) and Motion to Strike (Dkt. #39) are each **GRANTED**, and the entirety of Plaintiff's claims against each of Defendants are **DISMISSED WITH PREJUDICE**.

All relief not previously granted is **DENIED**.

The Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this 21st day of March, 2019.

A handwritten signature in black ink, reading "Amos Mazzant", written over a horizontal line.

AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE